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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,487	08/26/2005	Wolfgang Clemens	411000-124	3650
27162 7590 06/25/2007 CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI, STEWART & OLSTEIN 5 BECKER FARM ROAD ROSELAND, NJ 07068			EXAMINER WERT, JOSHUA P	
			ART UNIT 3709	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/523,487

Applicant(s)

CLEMENS ET AL.

Examiner

Josh Wert

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3709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/4/05, 5/13/05, 8/25/05, 10/28/05.

## DETAILED ACTION

Examiner acknowledges the amendments to claims filed on 8/26/05.

### *Claim Objections*

1. Claim 2 is objected to because of the following informalities: in the last line of the claim it reads "form a the function". It is unclear whether it is intended to read as "form a function" or "form the function". Appropriate correction is required.
2. The claims are objected to because the lines are crowded too closely together between claims 12 and 13, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al., U.S. Patent 6,877,096 in view of Fraunhofer Magazin 4, 2001.
5. Regarding claims 1 and 2, Chung et al. disclose an electronic device (Figure 1) comprising; a main module (100 and 135) and at least one sub-module (120) electrically

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connectable to the main module (Col. 4, lines 8-9) which in co-operation with an electric circuit in the main module (Figure 2; 205) enables execution of a function of a game specific for the sub-module (Col. 1, lines 53-54). Chung et al. do not disclose one of the circuits being organic. Fraunhofer Magazin 4, 2001, pages 8 through 13 teaches the use of organic circuits in place of conventional circuits to inexpensively mass-produce electronic components. It would have been obvious at the time the invention was made to modify Chung et al.'s discs to contain organic circuits as taught by Fraunhofer Magazin 4, 2001 in order to inexpensively mass-produce the discs.

6. Regarding claims 3 and 4, Chung et al. disclose multiple sub-modules being selected from a plurality of different types of sub-modules in the form of plastic cards (Figure 1; 120's) having respectively different circuits (Col. 5, lines 2-3), wherein predetermined combinations of sub-modules enables specific performance in the game (Col. 1, lines 55-57).

7. Regarding claims 5 and 6, Chung et al. disclose a switch-off arrangement which detects and monitors the use of the sub-module and permanently prevents the use after a pre-determined extent of use (Col. 6, lines 1-13).

8. Regarding claims 7 and 10, Chung et al. disclose a processor (320) in the sub-module that can enable the specific function in the main module (Col. 5, lines 59-64).

9. Regarding claims 8 and 11-12, Chung et al. disclose an additional logic in the sub-module that permits the execution of the function (Col. 6, lines 17-23).

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10. Regarding claims 9 and 13-15, Chung et al. disclose a display on the sub-modules that show information about their function (Col. 1, lines 57-60; Col. 4, lines 25-27; 258).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. U.S. Patent 6,083,104 to Choi discloses an electronic toy with a cartridge that controls the movements of the toy.

13. U.S. Patent 6,254,477 to Sasaki et al. discloses a game consol with multiple game cards comprising input and display portions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Josh Wert whose telephone number is 571-270-1894. The examiner can normally be reached on Monday - Thursday 7:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jackson can be reached on (571) 272-4697. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/28/07

JPW



GARY JACKSON  
SUPERVISORY PATENT EXAMINER



5/29/2007